



CRL OP(MD). No.7036 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/05/2024

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

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1.E.Madasamy

2.M.Mathavan

3.M.Mahendran

4.M.Maharaja

5.Gandhi @ K.Madasamy

... Petitioners/ Accused Nos.1 to 4 & 9

Vs

The Inspector of Police,
Achanpudur Police Station,
Tenkasi District.
(Crime No.134 of 2024).

... Respondent/Complainant

For Petitioners : Mr.K.Karansingh, Advocate
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.134 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners/ Accused Nos.1 to 4 & 9, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 427 and 506(ii) of IPC, in Crime No.134 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 03.05.2024, due to previous enmity, the petitioners along with other accused assaulted the defacto complainant and his two sons, abused them with filthy language and also threatened them with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the injured has been discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the injured has already been discharged from the hospital and it is a case and case in counter.

5.Taking into consideration the facts and circumstances of the case and also the facts that the injured has already been discharged from the hospital and it is a case and case in counter, this Court is inclined to grant anticipatory bail to the petitioners



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with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Shengotthah, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 10 days and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
16/05/2024

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/05/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PS

TO

- 1 THE JUDICIAL MAGISTRATE, SHENGOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, ACHANPUDUR POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.KARANSINGH, Advocate (SR-5530[I] dated 16/05/2024)

ORDER IN
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RS/GS/SAR-(21.05.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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